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FOR IMMEDIATE RELEASE

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**SACRAMENTO COUPLE INDICTED FOR BANKRUPTCY FRAUD**  
**AS PART OF SCHEME TO AVOID PAYING RENT**

SACRAMENTO-- United States Attorney McGregor W. Scott announced today that a federal grand jury returned an indictment charging MARTHA KATHLEEN MONTOYA, 48, and ELADIO CALVILLO MONTOYA, 50, of Sacramento, with nine counts of bankruptcy fraud. MARTHA MONTOYA was also charged with twelve counts of making false statements in bankruptcy cases. The MONTOYAS are scheduled to be arraigned this afternoon at 2:00 P.M. before the Hon. Kimberly J. Mueller.

This case is the product of an extensive investigation by the Federal Bureau of Investigation, with the assistance of the Office of the United States Trustee.

According to Assistant United States Attorney Camil A. Skipper, who is prosecuting the case, the indictment alleges that the MONTOYAS filed thirteen bankruptcies in Sacramento between July 1999 and January 2006, each for the purpose of delaying the collection of past due rents and their eviction from rental homes. The indictment alleges that the MONTOYAS sought the protection of the automatic stay provisions of the Bankruptcy Code after their landlords obtained judgments against them for unpaid rents and won the right to evict them. The indictment alleges that the bankruptcy cases were dismissed after the MONTOYAS failed to pay filing fees and/or failed to pursue the cases. The indictment also alleges that, in December 2002 the Bankruptcy Court ordered the MONTOYAS not to file another bankruptcy case for two years (or five years if all accumulated past filing fees were not paid), and that MARTHA MONTOYA used false Social Security numbers on petitions filed from 2003 through 2005. The indictment further alleges that MARTHA MONTOYA failed to list prior bankruptcies on the petitions filed from 2002 through 2006.

If convicted, the maximum penalty under federal law for each offense of bankruptcy fraud and false statement in a bankruptcy case is five years imprisonment and a fine of \$250,000.

The charges are only allegations and the defendants are presumed innocent until and unless proven guilty beyond a reasonable doubt.

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